

RECEIVED
CENTRAL FAX CENTER

OCT 11 2005

OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.
ATTORNEYS AT LAW
ONE LANDMARK SQUARE, 10TH FLOOR
STAMFORD, CONNECTICUT 06901-2682
U.S.A.

Telephone (203) 327-4500

Facsimile (203) 327-6401

Facsimile Cover Sheet

Attention: Mail Stop AF

Department:

Company Name: United States Patent and Trademark Office

Date: October 11, 2005

Pages: ¹⁵~~16~~ (including cover sheet)

From: Ohlandt, Greeley, Ruggiero & Perle

Docket Nos.: 486.0047USU

MESSAGE:

Application Serial No. 10/782,379

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile is:

1. **SUBJECT TO THE ATTORNEY-CLIENT-PRIVILEGE;**
2. **ATTORNEY WORK PRODUCT; OR**
3. **CONFIDENTIAL.**

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is *unauthorized and strictly prohibited*. If you have received this facsimile in error, please notify Ohlandt, Greeley, Ruggiero & Perle by telephone at (203) 327-4500 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

To Confirm Transmission Please Call (203) 327-4500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER**

Applicant(s): Warren et al.

OCT 11 2005

Serial No.: 10/782,379

For: FUSION UNDERGARMENT

Filed: February 19, 2004

Examiner: Hale, Gloria M.

Art Unit: 3765

Confirmation No.: 3589

Customer No.: 27,623

Attorney Docket No.: 486.0047USU

Mail Stop AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing an Amendment in response to the communication dated August 10, 2005 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$0.00.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	18	0	x \$50.00	\$

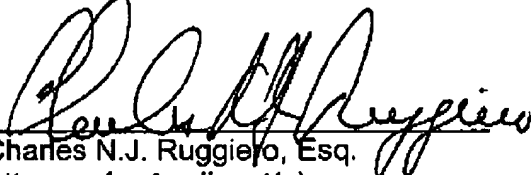
Independent Claims	3	Minus	3	0	x \$200.00	\$
MULTIPLE DEPENDENT CLAIM FEE					x \$360.00 =	\$
TOTAL FEE FOR CLAIM CHANGES						\$0.00
1/2 FILING FEE FOR SMALL ENTITY						\$N/A

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

_____ A check in the amount of \$ _____ is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

October 11, 2005
Date


Charles N.J. Ruggiero, Esq.
Attorney for Applicant(s)
Registration No. 28,468
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Telephone: (203) 327-4500
Telefax: (203) 327-6401

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE FACSIMILE NUMBER 571-273-8300, c/o MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON October 11, 2005 .

Erica Dorsey
NAME

 10/11/2005
SIGNATURE DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER
OCT 11 2005

Applicant(s): Warren et al.
Serial No.: 10/782,379
For: FUSION UNDERGARMENT
Filed: February 19, 2004
Examiner: Hale, Gloria M.
Art Unit: 3765
Confirmation No.: 3589
Customer No.: 27,623

Attorney Docket No.: 486.0047USU

Mail Stop AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing an Amendment in response to the communication dated August 10, 2005 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$0.00.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	18	0	x \$50.00	\$

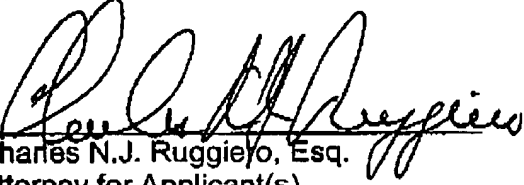
Independent Claims	3	Minus	3	0	x \$200.00	\$	RECEIVED CENTRAL FAX CENTER OCT 11 2005
MULTIPLE DEPENDENT CLAIM FEE						x \$360.00 = \$	
TOTAL FEE FOR CLAIM CHANGES						\$0.00	
1/2 FILING FEE FOR SMALL ENTITY						\$N/A	

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00.

_____ A check in the amount of \$ _____ is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

October 11, 2005
Date


 Charles N.J. Ruggiero, Esq.
 Attorney for Applicant(s)
 Registration No. 28,468
 Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
 One Landmark Square, 10th Floor
 Stamford, CT 06901-2682
 Telephone: (203) 327-4500
 Telefax: (203) 327-6401

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE FACSIMILE NUMBER 571-273-8300, c/o MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON October 11, 2005.

Erica Dorsey
NAME


SIGNATURE

10/11/2005
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Warren et al.
Serial No.: 10/782,379
For: FUSION UNDERGARMENT
Filed: February 19, 2004
Examiner: Hale, Gloria M.
Art Unit: 3765
Confirmation No.: 3589
Customer No.: 27,623

RECEIVED
CENTRAL FAX CENTER

OCT 11 2005

Attorney Docket No.: 486.0047USU

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Office Action

Dear Sir:

In response to the Office Action dated August 10, 2005, Applicants respond as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.